

THE HONORABLE JAMES L. ROBART

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DEX MEDIA WEST, INC.;
SUPERMEDIA LLC; and YELLOW
PAGES INTEGRATED MEDIA
ASSOCIATION d/b/a YELLOW PAGES
ASSOCIATION,

Plaintiffs,

v.

CITY OF SEATTLE and RAY
HOFFMAN, in his official capacity as
Director of Seattle Public Utilities,

Defendants.

No. 10-cv-1857

PARTIES' JOINT MOTION TO FILE
OVER-LENGTH BRIEFS

NOTE ON MOTION CALENDAR:
January 10, 2011

Pursuant to Local Rule of Civil Procedure 7(f), Plaintiffs and Defendants jointly request permission to file over-length briefs regarding Plaintiffs' upcoming Motion for Summary Judgment, expected to be filed in the next week or two in this challenge to an ordinance that takes effect April 1. The parties request six additional pages for their motion and opposition, for a total of 30 pages for each, and three additional pages for the reply.

The additional pages are necessary because this case presents complex and important questions of constitutional law. The ordinance at issue is the first of its kind in the country and

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LENGTH BRIEFS (10-cv-1857) – 1

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1 presents questions about the level of protection afforded the speech of yellow pages publishers and
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 3 the validity of a number of restrictions on yellow pages publishers, including a permitting scheme,
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 5 mandatory fees, and compelled speech. Each requirement is the subject of numerous precedents in
 6
 7 other contexts, and each deserves careful attention. Moreover, the ordinance is structured in a
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 9 fashion that also gives rise to a Commerce Clause challenge. Finally, Plaintiffs will also be filing a
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 11 motion for preliminary injunction, and the extra pages here will allow a truncated discussion of
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 13 likelihood of success on the merits in that motion.
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 17 Granting the additional pages will allow the parties to develop their arguments with the level
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 19 of care warranted by a case of this importance, and the parties ask that the Court grant the motion.
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22 DATED: January 10, 2011
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 d/b/a Yellow Pages Association

CERTIFICATE OF SERVICE

On January 10, 2011, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following attorneys of record:

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Attorney for Defendants The City of Seattle
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I certify under penalty of perjury that the foregoing is true and correct.

DATED this 10th day of January, 2011.

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